

HOUSE No. 5056

The Commonwealth of Massachusetts

PRESENTED BY:

Carlo P. Basile

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

AN ACT PROVIDING FOR DESIGNATED LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES AND WINE AND MALT BEVERAGES AT LOGAN INTERNATIONAL AIRPORT GRANTED BY THE LICENSING BOARD FOR THE CITY OF BOSTON.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Carlo P. Basile	1st Suffolk
Anthony W. Petrucci	First Suffolk and Middlesex

The Commonwealth of Massachusetts

In the Year Two Thousand and Ten

AN ACT PROVIDING FOR DESIGNATED LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES AND WINE AND MALT BEVERAGES AT LOGAN INTERNATIONAL AIRPORT GRANTED BY THE LICENSING BOARD FOR THE CITY OF BOSTON.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 17 of chapter 138 of the General Laws as appearing in the 2010 Official Edition, is hereby amended by inserting after the seventh paragraph the following new paragraphs:

As used in this Section, the following terms shall have the following meanings:

“Airline Clubs”, shall mean establishments, not open to the general public, which are operated by or for airlines at the Airport to provide exclusive or special accommodations to members and their guests, in accordance with airline policy.

“Airport”, shall mean General Edward Lawrence Logan International Airport.

“Boston License”, shall mean a license for the sale of alcoholic beverages issued pursuant to the sixth paragraph of this Section, and subject to the City of Boston municipal quota.

“Passenger Terminals”, shall mean the passenger terminals and designated Airline Clubs within the Airport.

“Restricted Airport Licenses”, shall mean licenses for both (i) the sale of all alcoholic beverages, and (ii) the sale of wines and malt beverages, to be drunk on the premises within the Passenger Terminals at the Airport.

“Transfer Period”, shall mean a period ending at the date the later to occur of either: (a) two (2) years of the enactment of this act, or (b) December 31, 2012.

With respect to the Airport, the licensing board for the City of Boston may also issue one or more Restricted Airport Licenses to any common victualler duly licensed under chapter one

hundred and forty and operating within the Passenger Terminals at the Airport, subject to the approval of the Alcoholic Beverages Control Commission. Once issued to a licensee within the Passenger Terminals at the Airport, the licensing board shall not approve the transfer of a Restricted Airport License to a location outside of the Passenger Terminals at the Airport. A Restricted Airport License shall be nontransferable to any other person, corporation or organization operating outside the Passenger Terminals at the Airport, and shall be clearly marked nontransferable outside the Passenger Terminals at the Airport on the face of the license. Notwithstanding the language of this Section 17, or any other special or general law to the contrary, Restricted Airport Licenses shall not be subject to, nor shall such licenses be counted against, any municipal quota set forth herein, including, but not limited to, the City of Boston quota set forth in paragraph six of this Section. A Restricted Airport License, if revoked or no longer in use, shall be returned physically, with all of the legal rights and privileges thereto, to the licensing board which may grant any such returned license to a new applicant operating within the Passenger Terminals at the Airport, consistent with the criteria set forth in this paragraph.

SECTION 2. Following the enactment of this act, Boston Licenses currently issued and otherwise in good standing for use within the Passenger Terminals at the Airport may continue to be valid during the Transfer Period, provided however, that a Boston License issued for use within the Passenger Terminals at the Airport, if revoked or no longer in use, shall be returned physically, with all of the legal rights and privileges thereto, to the licensing board which may grant any such returned license to a new applicant outside of the Passenger Terminals at the Airport in accordance with paragraph six of this Section. A licensee under a Boston License, operating within the Passenger Terminals at the Airport, may freely transfer such Boston License to any location outside the Passenger Terminals at the Airport, subject to the approval of the Alcoholic Beverages Control Commission, whereupon such transferor may be eligible for a Restricted Airport License as provided herein; provided, however, that a licensee operating within the Passenger Terminals at the Airport under a Boston License may only transfer a Boston License during the Transfer Period. If such Boston License has not been transferred within the Transfer Period, such Boston License will be deemed revoked or no longer in use, and shall be returned physically, with all legal rights and privileges thereto, to the licensing board, which may (i) grant such returned Boston License to a new applicant operating outside the Passenger Terminals at the Airport, subject to paragraph six of this Section, and (ii) grant a Restricted Airport License to the person or establishment from whom the Boston License was revoked, or a new applicant within the Passenger Terminals at the Airport, in accordance with this Section.

SECTION 3. With respect to the Restricted Airport Licenses, the local licensing authorities may determine in the first instance, when originally issuing and upon each annual renewal of a Restricted Airport License, the amount of the license fee in accordance with Section 12; provided, however, that an origination fee of not greater than two thousand five hundred dollars (\$2,500) per alcoholic beverage license and one thousand dollars (\$1,000) per wine and malt beverage license shall apply to each Restricted Airport License.

SECTION 4. This act shall take effect upon its passage.